



**Testimony in SUPPORT with Amendments of SB638 – Natural Resources -Submerged Aquatic Protection Zones – Aerial Surveys**

March 1, 2023

Dear Chairman Feldman and Members of the Committee,

Thank you for this opportunity to submit testimony in **SUPPORT with Amendments of SB638** on behalf of ShoreRivers and the organizations listed below. ShoreRivers is a river protection group on Maryland's Eastern Shore with more than 2,000 members. Our mission is to protect and restore our Eastern Shore waterways through science-based advocacy, restoration, and education.

Submerged Aquatic Vegetation (SAV) as defined by the Department of Natural Resources are rooted vascular plants that generally grow beneath the water surface, but may have leaves that extend to and grow on the surface of the water. **They are a critical part of the Chesapeake ecosystem, providing food, habitat and oxygen, while also absorbing nutrients, trapping sediment, and preventing erosion.** SAV contributes to better water quality, benefiting the economy, society, and ecology of the Bay. As part of the Chesapeake Bay Watershed Agreement, signed in 2014, Maryland has committed to increasing SAV habitat to 185,000 acres of underwater grasses in the Bay, with a measured target of 130,000 acres by 2025. Progress reached an estimated 108,000 acres of underwater grasses in 2018.

**This bill will require the Department of Natural Resources to increase the frequency of the SAV Protection Zone updates from every three years to annually.** Three-year updates do not account for new bed establishment or bed expansion. Comparatively, Virginia's criteria for delineating SAV restoration areas includes annual updates and publication of the most recent year survey conducted by the Virginia Institute of Marine Science (VIMS). Considering the Department receives the VIMS data annually, we urge the Department to implement policies that will make this annual update of the delineated zones possible. Increasing the frequency of these updates will not only improve the protection of SAV, but will also improve the public fisheries for our commercial watermen, and increase the transparency of the delineation process.

**However, the bill also suggests changing the agency that conducts the annual aerial survey from VIMS to "an entity approved by the department," which we do not support at this time.** While there are several advances being made with newer technologies like satellite imagery and drones, these processes have not been fully developed or studied yet, and thus there is not a viable alternative to VIMS at this point in time. Once these alternatives are further developed then it would be worth considering making such a proposed switch, but at this time we suggest an amendment that removes this language from the bill.

We support this bill because it will increase the protection of these critical underwater grass species in the Bay and reduce conflict over the resource. We urge the Committee to adopt a **FAVORABLE** report on **SB950 with the requested amendments.**

Sincerely,

Zack Kelleher  
Sassafras Riverkeeper, on behalf of ShoreRivers

**ShoreRivers**

Isabel Hardesty, Executive Director

Annie Richards, Chester Riverkeeper | Matt Pluta, Choptank Riverkeeper | Zack Kelleher Sassafras Riverkeeper